

### **REMARKS/ARGUMENTS**

Upon entry of this Amendment, Claims 1-14, 16 and 20-21 will remain pending.

Applicants appreciate the acknowledgement in the Office Action that Claims 2, 3, 5, 6, 9, 12, 13 and 14 are indicated to be allowable in the case.

Claim 11 is rejected by the Office Action under 35 U.S.C. Section 112, second paragraph as being indefinite. As suggested by the Office Action, hydrogen has been removed from Claim 11, thus overcoming this ground of rejection.

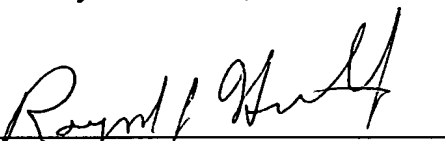
Claims 1,4,7,8, 10, 11, 16, 20 and 21 stand rejected under 35 U.S.C. Section 102(b) as being anticipated by WO 96/26192. Applicants have amended the claims to remove the limitation that A is a single bond which distinguishes the present invention over the reference.

The Office Action directs the Applicants attention to U.S. Patent No. 6,624,121 indicating that the claimed subject matter is substantially similar and inviting Applicants to demonstrate why these claims are patentably distinct. Applicants point out that U.S. Patent No. 6,624,121 relates to compounds having a tetrazolinone moiety (a five-membered ring with a carbonyl and 4 nitrogens). These compounds are not claimed in the present application, and therefore, without more from the Examiner on this point, it is believed that the present claims are patentably distinct from those of U.S. Patent No. 6,624,121.

Review and consideration and allowance of the pending claims is respectfully requested.

Respectfully submitted,

By



Raymond J. Harmuth  
Attorney for Applicants  
Reg. No. 33,896

Bayer CropScience LP  
100 Bayer Road  
Pittsburgh, Pennsylvania 15205-9741  
(412) 777-3916  
FACSIMILE PHONE NUMBER:  
(412) 777-3902  
lo/HARMUTH/rjh097